

STATE OF ILLINOIS



ILLINOIS COMMERCE COMMISSION  
TRANSPORTATION DIVISION / RAIL SAFETY SECTION

Michael E. Stead

Rail Safety Program Administrator

October 27, 2005

Mr. Victor A. Modeer  
Director of Highways, IDOT  
2300 South Dirksen Parkway  
Springfield, IL 62764  
ATTN: JEFF HARPRING, ROOM 205

Ms. Ellen J. Schanzle-Haskins  
Chief Counsel  
Illinois Department of Transportation  
2300 South Dirksen Parkway, Room 300  
Springfield, IL 62764

Mr. Frederick Sherer  
Coles County Highway Engineer  
651 Jackson St., Room 16  
Charleston, IL 61920

Mr. Michael J. Barron, Jr.  
Illinois Central Railroad  
17641 South Ashland Avenue  
Homewood, IL 60430

RE: **Illinois Commerce Commission Docket T04-0043**  
CH 18, AAR/DOT 292 942G, milepost 113.50-B, Near Mattoon, Coles County

Dear Gentlemen:

This is in response to the Illinois Central Railroad Company Petition docketed on September 14, 2005, under Docket T04-0043. Enclosed please find a copy of the Illinois Commerce Commission "*Staff Response to Second Petition for Extension Filed by Illinois Central Railroad Company*", as submitted to the Commission Director of Processing and Information this 27<sup>th</sup> day of October, 2005.

Very truly yours,

A handwritten signature in black ink that reads "Joe Von De Bur".

Joe Von De Bur  
Railroad Safety Specialist

Attachments

Cc: Mr. John Henriksen, CN

JV

STATE OF ILLINOIS  
ILLINOIS COMMERCE COMMISSION

ORIGINAL

Illinois Central Railroad Company, Coles County, :  
and the State of Illinois, Department of :  
Transportation. :

Stipulated Agreement regarding improving public : T04-0043  
safety at the County Highway (CH) 18 highway-rail :  
grade crossing of the Company's track located near :  
Mattoon, Coles County, Illinois, designated as :  
crossing AAR/DOT 292 942G, milepost 113.50-B. :

**STAFF RESPONSE TO SECOND PETITION FOR EXTENSION**  
**FILED BY ILLINOIS CENTRAL RAILROAD COMPANY**

Now comes the Staff of the Illinois Commerce Commission ("Staff") and hereby responds the Illinois Central Railroad Company's Second Petition for Extension ("Petition"). Staff states as follows:

On June 9, 2004, the Illinois Commerce Commission ("Commission") entered its original Order in the above captioned matter. As a result of that Order, the Illinois Central Railroad Company ("Company") was required and directed to, among other things, remove the existing automatic flashing light signals; relocate the northwest mast; install automatic flashing light signals, gates and cantilever arms controlled by constant warning time circuitry; and extend the crossing surfaces. Coles County ("County") was required and directed to widen and improve the geometrics of the roadway in the vicinity of the crossing. All improvements were to be made at or near the County Highway (CH) 18 highway-rail grade crossing of the Company's track located near Mattoon, in Coles County, Illinois.

On May 16 and 17, 2005, the Company and the County each separately filed Petitions requesting an extension of time. An extension of time, to and including June 9, 2006, was granted by Commission Order on September 28, 2005.

On September 14, 2005, the Company filed the present Petition seeking an extension of time, to and including June 30, 2008, in which to complete the safety improvements required by the Order issued by the Commission in June 2004. The Company claims that because the Illinois Department of Transportation ("IDOT") has scheduled the roadway alignment portion of the project for Fiscal Year (FY) 2008, it will not be able to complete the crossing safety improvements until the roadway alignment is finished.

While Staff's investigation found that, per IDOT staff, the roadway portion of the project is not scheduled to occur until FY 2008, the crossing surfaces, nevertheless, have

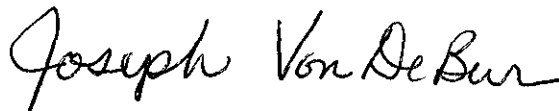
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already been replaced. Therefore, Staff is of the opinion that the roadway improvements need not be in place prior to the installation of the new warning devices and circuitry. Although the roadway will be widened, the centerline of the roadway will remain the same and the placement of the new warning devices will not influence their effectiveness with the existing roadway configuration. Staff also believes that the signal improvements should be put in place as soon as possible, for the safety of the traveling public. As the original completion date was June 9, 2005, Staff does not feel that a delay of three (3) years is justified for the warning device improvements.

WHEREFORE, for the reasons stated herein, the Staff of the Illinois Commerce Commission respectfully requests that the extension of time sought by the Illinois Central Railroad Company in its Second Petition for Extension be denied.

Respectfully submitted,

A handwritten signature in cursive script that reads "Joseph VonDeBur".

Joseph VonDeBur  
Railroad Safety Specialist